

Remarks

Claims 1-20 are pending in the application. Claims 1-8 and 17-20 were rejected and claims 9-16 were withdrawn. By this Amendment, claims 1 and 17 have been amended. Reconsideration of the claims is respectfully requested. No new matter has been added.

Rejection Under 35 U.S.C. § 102

Claims 1, 3, and 5 were rejected under § 102(b) as being anticipated by U.S. Patent No. 4,889,290 issued to Koffsky et al. (hereinafter "Koffsky '290"). Applicants have amended claim 1 to recite "a machining system having a machining envelope, the machining system comprising: a housing defining at least a portion of the machining envelope; a hopper having a top surface defining an opening; and a seal extending from the top surface to the housing such that the seal does not extend into the opening; wherein the hopper is configured to receive particulates when positioned below the machining envelope." Koffsky '290 does not recite a machining system as claimed. For instance, Koffsky '290 does not recite a seal that extends from a top surface of a housing that does not extend into an opening defined by a top surface of a hopper. Instead, Koffsky '290 discloses a sleeve 116 that "protrudes down as shown in Fig. 4" such that "sleeve 116 [is] drooped into receptacle bag 120 and causes a seal to occur between the uppermost portion of bag 120 and sleeve 116" (see column 5, lines 25-26 and 45-48). In other words, the sleeve 116 (called a seal by the Examiner) is drooped inside the receptacle bag 120 and within cart 126. Consequently, Applicants believe that the rejection of claim 1 has been overcome. Since claims 3 and 5 depend on claim 1, Applicants believe that claims 3 and 5 are allowable for the same reasons.

Claims 17-18 were rejected under § 102(b) as being anticipated by Koffsky. Applicants have amended claim 17 to recite a machining system comprising "a housing including: an upper portion defining a machining envelope; a lower portion disposed proximate the upper portion, the lower portion having an access port; and a mating portion disposed proximate the upper and lower portions defining a first aperture, the mating portion having a bottom surface; and a chip hopper adapted to be inserted through the access port into the lower

portion, the chip hopper including: a top surface defining a second aperture; and a seal disposed on the top surface such that the seal extends around and is spaced apart from the opening; wherein the seal engages the bottom surface of the mating portion to inhibit particulates from exiting the housing.” Koffsky ‘290 does not disclose a machining system as claimed. For instance, Koffsky ‘290 does not recite a seal that is disposed on a top surface of a housing and extends around and is spaced apart from an opening of a hopper. Instead, Koffsky ‘290 discloses a sleeve 116 that “protrudes down as shown in Fig. 4” such that “sleeve 116 [is] drooped into receptacle bag 120 and causes a seal to occur between the uppermost portion of bag 120 and sleeve 116” (see column 5, lines 25-26 and 45-48). In other words, the sleeve 116 (called a seal by the Examiner) is drooped inside the receptacle bag 120 and within cart 126. Consequently, the rejection of claim 17 is believed to be overcome. Since claim 18 depends on claim 17, Applicants believe that this claim is allowable for the same reasons.

Rejection Under 35 U.S.C. § 103

Claims 2, 6, and 19 were rejected under § 103(a) as being unpatentable over Koffsky ‘290 in view of U.S. Patent No. 6,112,504 issued to McGregor et al. (hereinafter “McGregor ‘504”). Claims 2 and 6 depend on claim 1. Claim 19 depends on claim 17. Consequently, Applicants believe that the rejection of these claims is overcome for the reasons previously discussed.


Claims 4 and 20 were rejected under § 103(a) as being unpatentable over Koffsky ‘290 in view of U.S. Patent Application Publication No. 2003/0131571 issued to Demarco (hereinafter “Demarco ‘571”). Claims 4 and 20 depend on claims 1 and 17, respectively. Consequently, Applicants believe that the rejection of these claims is overcome for the reasons previously discussed.

Claims 7 and 8 were rejected under § 103(a) as being unpatentable over Koffsky '290 in view of McGregor '504 and further in view of Demarco '571. Claims 7 and 8 depend on claim 1. Consequently, Applicants believe that the rejection of these claims is overcome for the reasons previously discussed.

Conclusion

Applicants have made a genuine effort to respond to the Examiner's objections and rejections in advancing the prosecution of this case. Applicants believe all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested.

Respectfully submitted,
JAMES ANDERSON et al.

By 
Matthew M. Mietzel
Reg. No. 46,929
Attorney for Applicant

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BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351